

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 and 3 to 6.

The above amendment is presented to more clearly point out the invention.

Entry is respectfully requested for reasons which will be apparent from the remarks below.

Claims 1 and 3-6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sugihara (JP 05023094-English Translation).

This rejection is respectfully traversed.

With regard to interpretation of the claims, the Office Action states that "the instant specification ... describes that the soybean protein constituent of the plastic mixture is 12-38% by weight in terms of anhydrous solid matter" (page 3, paragraph 6 of the Official Action of April 21, 2010). However, the description of the specification is correctly interpreted as "**the amount of the soybean protein** as soybean protein constituent in the plastic mixture is ... 12 to 38% by weight ... in terms of anhydrous solid matter" (page 8, lines 3-7 of the specification). The subject of this sentence is clearly "the amount of the soybean protein". Therefore, this sentence should be understood as "**the amount of the soybean protein** (as soybean protein constituent in the plastic mixture) **is 12-38% by weight in terms of anhydrous solid matter.**"

The consequences of failure to observe this parameter are disclosed at page 8, lines 3-7 of the specification as explained above.

Further, the Examples of the specification are concrete examples of the invention and full support the above interpretation. A person skilled in the art would readily understand that "the amount of the soybean protein in the plastic mixture is 12 to 38% by weight in terms of anhydrous solid matter" in the claim corresponds to "% by weight of soybean protein in plastic mixture" of Table 1, even if the expression thereof is different.

Therefore, a person skilled in the art would understand the interpretation of the claim as explained in the Supplemental Response of April 6, 2010.

Turning to the rejection under 35 U.S.C. 103, by above amendments, the plastic mixture of the present invention is directed to the mixture consisting of soybean protein and a sugar in the form of liquid.

Sugihara describes that "from among the above ingredients, sugar ester, decaglycerol monomyristate, separated soy protein, and calcium chloride were dissolved or dispersed in a mixed solution of sorbitol and water to prepare an aqueous phase. Meanwhile, canola oil had another emulsifier dissolved or dispersed in it at between 70 and 75°C to prepare an oil phase. Then, the oil phase was gradually mixed with the water phase at between 70 and 75°C while being agitated by means of a homomixer (i.e. TK homomixer, about 3000rpm). By further agitating and emulsifying the mixture for 10 more minutes, an oil-in-water oleaginous composition was obtained" (paragraph [0025], [0026] of Sugihara).

The Office Action identifies the aqueous phase of Sugihara, which is prepared by dissolving or dispersing sugar ester, decaglycerol monomyristate, separated "soy protein, and calcium chloride to a mixed solution of sorbitol and water, as the plastic mixture of the present invention (page 4, paragraph 10 of the Official Action of October 14, 2009). However, as above discussed, Sugihara intends that the aqueous phase then be mixed with the oil phase and agitated, thereby easily obtaining the oil-in-water oleaginous composition. Therefore, the aqueous phase of Sugihara contains sugar ester and decaglycerol monomyristate, which form a hydrophilic emulsifier for easily preparing the oil-in-water oleaginous composition. Such the aqueous phase is essentially different from the plastic mixture of the present claims "consisting of" soybean protein and a sugar in the form of liquid.

Therefore, Sugihara does not disclose or suggest the plastic mixture of the presently claimed process.

Further, Sugihara neither teaches nor suggests the effect of the presently claimed process. The present process for producing soybean protein-containing wheat dough produces a dough which hardly undergoes the influence of strong water absorption properties of soybean protein, even in dough using soybean protein and has less change in hardness of the dough over time and has good workability.

Therefore, an art-skilled person could not arrive at the presently claimed method from Sugihara.

Thus, the presently claim method is not obvious from Sugihara.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

Isao OCHI

By 

Matthew M. Jacob
Registration No. 25,154
Attorney for Applicant

MJ/kjf
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
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